

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

GEORGE D. McCARLEY,	)	
	)	
Plaintiff,	)	
	)	
	)	
v.	)	
	)	CIVIL ACTION NO. 3:06CV91-MEF
HOUSEHOLD FINANCE	)	
CORPORATION III, et al.,	)	
	)	
Defendants.	)	

**ORDER ON MOTIONS**

On June 26, 2007, Plaintiff filed two motions: (1) Motion for Permission to Request Extension of Time of Disclosure Period (Doc. #72) and (2) Motion to Extend Time to Add Parties (Doc. #73). The Court will discuss each motion in turn.

With respect to Plaintiff's Motion for Permission to Request Extension of Time of Disclosure Period (Doc. #72), Plaintiff requests a two month extension of time for the discovery period, which concludes on June 29, 2007. Plaintiff claims the extension is necessary because Defendants have been slow in responding to his requests for discovery. Plf.'s Mot. for Perm. to Request Ext. of Time of Disclosure Period (Doc. #72) at 1-2.

Plaintiff has not shown good cause for the requested extension of time. While Plaintiff claims that Defendants have been slow in responding to his discovery requests, Plaintiff has not provided any documentation or narrative of Defendants' delay. Plaintiff is, however, a pro se litigant. The Court will permit only one extension of the discovery

period; no further extensions will be permitted. The discovery deadline is extended for one month or until **July 31, 2007**. It is therefore

ORDERED that Plaintiff's Motion for Permission to Request Extension of Time of Disclosure Period (Doc. #72) is GRANTED IN PART AND DENIED IN PART.

In Plaintiff's Motion to Extend Time to Add Parties (Doc. #73), Plaintiff indicates that a "shadow" corporation, Household Finance Corporation of Alabama, is a key player in this lawsuit, and until recently, Defendants never discussed or disclosed the firm to Plaintiff. Plaintiff also indicates that "[t]here are several other 'non-disclosed' corporations named by the material provided by [D]efendant[s]." Mot. for Permission to Request Ext. of Time to Add Parties (Doc. #73). Plaintiff requests that the Court grant him "a full opportunity to examine the need to add as defendant parties, Household Finance Corporation of Alabam[a], and other defendant entities named in the discovery information." Id. Plaintiff's motion implicates joinder of Household Finance Corporation of Alabama for violation of "Title 5, Chapter 19(a)(3) and[ ] § 5-19-25 (and other statutes)" of the Alabama Code.

The Court is troubled by Plaintiff's motion for several reasons. First, Plaintiff's motion only specifically identifies one proposed additional defendant; no other corporations are identified. Second, Plaintiff's motion does not seek to add these parties, but merely requests additional time to consider whether to add them. Third, Plaintiff's motion seeks the additional time to consider adding parties to the lawsuit for allegedly

violating claims under the Alabama Code which are not presently pending in this Court. Finally, Plaintiff filed his motion for an extension of time almost two months after the deadline for amending the complaint. The Scheduling Order in effect for this case clearly indicates that “motions to amend the pleadings . . . shall be filed on or before April 30, 2007.” Sch. Order of Mar. 23, 2007 (Doc. #44) at 2. Plaintiff has had, at least, since March 23, 2007, the date in which the scheduling order in this case took effect, to discover new claims and parties and amend his pleadings. Plaintiff’s evidence in support of the motion, entitled “document 00128,” clearly indicates that Plaintiff has known or should have known at least about Household Finance Corporation of Alabama since January 2003, when representatives for the company left messages at his home and sent him two “Notices to Cure” in the mail. Therefore, it is

ORDERED that Plaintiff’s Motion to Extend Time to Add Parties (Doc. #73) is DENIED with prejudice.

DONE this 26th day of June, 2007.

/s/ Wallace Capel, Jr.  
WALLACE CAPEL, JR.  
UNITED STATES MAGISTRATE JUDGE